

NO JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

CONSTRUCTION LABORERS TRUST
FUNDS FOR SOUTHERN
CALIFORNIA ADMINISTRATIVE
COMPANY, a Delaware limited liability
company,

Plaintiff,

vs.

INNOVATIVE BUILDING
CONTRACTORS, INC., a dissolved
California corporation; ISAAC
SANCHEZ AYALA, an individual;
SURETEC INSURANCE COMPANY, a
Texas corporation; DOE 1 through DOE 5,
inclusive,

Defendants.

AND RELATED COUNTER-CLAIMS

CASE NO.:

CV14-02227 DDP(PLAx)

DEFAULT SEVERAL JUDGMENT

The Defendants, INNOVATIVE BUILDING CONTRACTORS, INC., a
dissolved California corporation and ISAAC SANCHEZ AYALA, an individual;
having been regularly served with process and having failed to appear and answer the

1 Plaintiff's Complaint and the Defaults of INNOVATIVE BUILDING
2 CONTRACTORS, INC., ("INNOVATIVE") and ISAAC SANCHEZ AYALA
3 ("AYALA") have been entered.

4 AYALA is not an infant, or incompetent person, and the Servicemembers Civil
5 Relief Act of 2003 is not applicable to this suit or to AYALA or INNOVATIVE.

6 The issues of the amount of damages and whether or not there is sufficient
7 evidence to support the judgment requested by Plaintiff were submitted to the Court
8 by motion supported by Declarations.

9 Based upon the Motion for Default Several Judgment, the Declarations
10 submitted and all other records and documents on file,

11 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

12 Judgment is entered in favor of Plaintiff, CONSTRUCTION LABORERS
13 TRUST FUNDS FOR SOUTHERN CALIFORNIA ADMINISTRATIVE
14 COMPANY, LLC, the administrator, agent for collection and a fiduciary to the
15 LABORERS HEALTH AND WELFARE TRUST FUND FOR SOUTHERN
16 CALIFORNIA; CONSTRUCTION LABORERS PENSION TRUST FOR
17 SOUTHERN CALIFORNIA; CONSTRUCTION LABORERS VACATION TRUST
18 FOR SOUTHERN CALIFORNIA (hereinafter collectively "TRUST FUNDS"), and
19 against Defendants, INNOVATIVE BUILDING CONTRACTORS, INC., a dissolved
20 California corporation; ISAAC SANCHEZ AYALA, an individual, individually,
21 jointly and severally for the principal sum of \$14,877.02; interest in the sum of
22 \$1,140.12, attorney's fees in the sum of \$1,561.03, and costs in the sum of \$433.64 for
23 a total Judgment sum of \$18,011.81 covering the period from October 2013 through
24 December 2013.

25 IT IS FURTHER ORDERED that this Judgment is for known delinquencies
26 incurred during the period from October 2013 through December 2013; however,
27 since TRUST FUNDS have not conducted an audit of EMPLOYER'S records during
28 this time period, TRUST FUNDS shall retain and reserve their legal rights and

1 remedies to seek recovery from EMPLOYER and/or AYALA of any amounts
2 discovered to be owed by EMPLOYER during this time period, and this Judgment
3 shall not operate as a bar, res judicata, or other limitation of any right of the TRUST
4 FUNDS to determine and collect any additional amounts owed during the period from
5 October 2013 through December 2013.

6 The Court finds that there is no just reason for delay in the entry of a final
7 several judgment against INNOVATIVE and AYALA leaving the balance of the
8 claims by asserted by Plaintiff against the remaining Defendant, SURETEC
9 INSURANCE COMPANY.

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11 Dated: February 24, 2015



12 DEAN D. PREGRESON,
13 United States District Judge
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